

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



### **Wisconsin Department of Safety and Professional Services Access to the Public Records of the Reports of Decisions**

This Reports of Decisions document was retrieved from the Wisconsin Department of Safety and Professional Services website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

#### **Please read this agreement prior to viewing the Decision:**

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Safety and Professional Services from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Safety and Professional Services data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Safety and Professional Services, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name* as it appears on the order.
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Safety and Professional Services is shown on the Department's Web Site under "License Lookup."

The status of an appeal may be found on court access websites at:

<http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscga>

- Records not open to public inspection by statute are not contained on this website.

**By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.**

**Correcting information on the DSPS website:** An individual who believes that information on the website is inaccurate may contact [DSPS@wisconsin.gov](mailto:DSPS@wisconsin.gov)

STATE OF WISCONSIN  
BEFORE THE REAL ESTATE APPRAISERS BOARD

---

IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

LYNN M. BELL,  
RESPONDENT.

:  
:  
: FINAL DECISION AND ORDER  
:  
: ORDER 0002747

---

Division of Legal Services and Compliance<sup>1</sup> Case Nos. 12 APP 009 and 13 APP 030

The parties to this action for the purpose of Wis. Stat. § 227.53 are:

Lynn M. Bell  
85 N. Elm  
Platteville, WI 53818

Wisconsin Real Estate Appraisers Board  
P.O. Box 8935  
Madison, WI 53708-8935

Division of Legal Services and Compliance  
Department of Safety and Professional Services  
P.O. Box 8935  
Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final disposition of these matters, subject to the approval of the Real Estate Appraisers Board (Board). The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent Lynn M. Bell (dob July 15, 1953) is licensed in the State of Wisconsin as a Certified Residential Appraiser and Licensed Appraiser, having license number 1088-9, first issued on October 20, 1997, and current through December 14, 2013. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 85 N. Elm, Platteville, WI 53818.

2. On May 16, 2007, Respondent was disciplined by the Board for violating the Uniform Standards of Professional Appraisal Practice (USPAP). Respondent was reprimanded;

---

<sup>1</sup> The Division of Legal Services and Compliance was formerly known as the Division of Enforcement.

her license was limited; she was ordered to complete the following courses: National Uniform Standards of Professional Appraisal Practice Update Course – 15 Hour, Business Practices and Ethics, Internet Search Strategies for Real Estate Appraisers, Valuation of Detrimental Conditions in Real Estate, Residential Design and Functional Utility, and FHA and the New Residential Appraisal Forms; and she was required to pay a forfeiture. Respondent complied with all the terms of that Order.

3. On November 16, 2009, Respondent was disciplined by the Board for violating USPAP. Respondent was ordered to complete 30 hours of education. Respondent complied with all the terms of that Order.

4. On October 28, 2011, Respondent performed an appraisal of property located at 11560 Power Rd., Glen Haven, WI 53810. Respondent completed an appraisal report dated November 7, 2011.

5. On or about February 17, 2012, the Department received a complaint alleging that Respondent's appraisal and appraisal report violated USPAP and that Respondent demonstrated a lack of knowledge of basic appraisal practice. Division of Legal Services and Compliance Case Number 12 APP 009 was subsequently opened for investigation.

6. Respondent's appraisal was reviewed by the Division of Legal Services and Compliance and it was determined that the appraisal and appraisal report violated numerous USPAP Rules and/or Standards Rules.

7. On March 1, 2013, Respondent performed an appraisal of property located at 29526 Z Scott Hill Rd., Cazenovia, WI 53924. Respondent completed an appraisal report dated March 1, 2013.

8. On or about June 21, 2013, the Department received a complaint alleging that Respondent's appraisal and appraisal report violated USPAP and that Respondent demonstrated a lack of knowledge of basic appraisal practice. Division of Legal Services and Compliance Case Number 13 APP 030 was subsequently opened for investigation.

9. Respondent admits that the Department's findings may justify disciplinary action. Respondent wishes to resolve Case Nos. 12 APP 009 and 13 APP 030 pursuant to the voluntary surrender of her real estate appraiser license.

10. In resolution of these matters, Respondent consents to the entry of the following Conclusions of Law and Order.

#### CONCLUSIONS OF LAW

1. The Wisconsin Real Estate Appraisers Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 458.26, and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

2. By the conduct described in the Findings of Fact, Respondent Lynn Bell violated numerous USPAP Rules and Standard Rules.

3. As a result of the USPAP violations, Respondent has violated Wis. Admin. Code §§ RL (now SPS) 86.01(1) and (2), and is therefore subject to discipline pursuant to Wis. Stat. §§ 458.26(3)(b), (c) and (i).

ORDER


1. The attached Stipulation is accepted.
2. The VOLUNTARY SURRENDER of Respondent Lynn Bell's Certified Residential Appraiser and Licensed Appraiser license (license number 1088-9) is hereby ACCEPTED.
3. Respondent shall immediately return all indicia of Wisconsin licensure to the Department Monitor at the address below:

Department Monitor  
Division of Legal Services and Compliance  
Department of Safety and Professional Services  
P.O. Box 8935, Madison, WI 53708-8935  
Telephone (608) 267-3817; Fax (608) 266-2264  
DSPSMonitoring@wisconsin.gov

4. This Order is effective on the date of its signing.

WISCONSIN REAL ESTATE APPRAISERS BOARD

by:

  
A Member of the Board

11/13/2013  
Date

STATE OF WISCONSIN  
BEFORE THE REAL ESTATE APPRAISERS BOARD

---

IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

LYNN M. BELL,  
RESPONDENT.

:  
:  
:  
:  
:

STIPULATION

ORDER 0002747

---

Division of Legal Services and Compliance<sup>1</sup> Case Nos. 12 APP 009 and 13 APP 030

Respondent Lynn M. Bell and the Division of Legal Services and Compliance, Department of Safety and Professional Services stipulate as follows:

1. This Stipulation is entered into as a result of pending investigations by the Division of Legal Services and Compliance. Respondent consents to the resolution of these investigations by Stipulation.

2. Respondent understands that by signing this Stipulation, Respondent voluntarily and knowingly waives the following rights:

- the right to a hearing on the allegations against Respondent, at which time the State has the burden of proving those allegations by a preponderance of the evidence;
- the right to confront and cross-examine the witnesses against Respondent;
- the right to call witnesses on Respondent's behalf and to compel their attendance by subpoena;
- the right to testify on Respondent's own behalf;
- the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision;
- the right to petition for rehearing; and
- all other applicable rights afforded to Respondent under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.

3. Respondent is aware of Respondent's right to seek legal representation and has been provided an opportunity to obtain legal counsel before signing this Stipulation. Respondent is represented by Attorney Pharis Horton.

4. Respondent agrees to the adoption of the attached Final Decision and Order by the Wisconsin Real Estate Appraisers Board (Board). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance

---

<sup>1</sup> The Division of Legal Services and Compliance was formerly known as the Division of Enforcement.

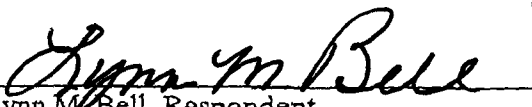
or consent of the parties. Respondent waives all rights to any appeal of the Board's order, if adopted in the form as attached.

5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division of Legal Services and Compliance for further proceedings. In the event that the Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent, for purposes of speaking in support of this agreement and answering questions that any member of the Board may have in connection with deliberations on the Stipulation. Additionally, any such advisor may vote on whether the Board should accept this Stipulation and issue the attached Final Decision and Order.

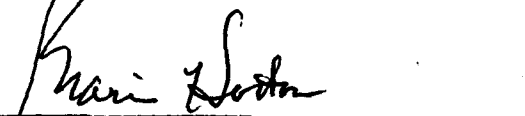
7. Respondent is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

8. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.

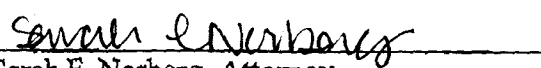
  
Lynn M. Bell, Respondent  
85 N. Elm  
Platteville, WI 53818  
License no. 1088-9

11/4/13  
Date



  
Pharis Horton, Attorney for Respondent  
Pharis Horton Attorney at Law  
P.O. Box 5621  
Madison, WI 53705-5621

Nov. 5 2013  
Date

  
Sarah E. Norberg, Attorney  
Division of Legal Services and Compliance  
P.O. Box 8935  
Madison, WI 53708-8935

11-6-13  
Date